



236 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55030-2024

Date of decision: 10.12.2024

GURPREET SINGH ALIAS GAGAN ALIAS GAGGU

...PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ranjeet K. Jaswal, Advocate for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

Ms. Sharmila Solanki, Advocate for

Mr. Sukesh Jindal, Advocate for respondent Nos.2 to 4.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C./528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.158 dated 06.10.2024 under Sections 137(2) and 96 of BNS registered at Police Station Division-B, District Police Commissionerate Amritsar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 09.10.2024 (Annexures P-3 & P-4).

2. The following order was passed on 06.11.2024 :-

"This petition has been filed under Section 482 Cr.P.C./528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.158 dated 06.10.2024 under Sections 137(2) and 96 of BNS registered at Police Station Division-B, District Police Commissionerate Amritsar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 09.10.2024 (Annexures P-3 & P-4).

Learned counsel for the petitioner inter alia contends that the petitioner and respondent No.4 fell in love with each other and their relationship was opposed to respondents No.2 & 3 and both of them solemnized marriage with each other on 05.10.2024 which



*is discernible from the marriage certificate (Annexure P-2) and now the parties have compromised the matter and are willing to record their statements in terms of compromise. He further submits that the case of the petitioner is fully covered by the ratio of law as laid down by the Hon'ble Supreme Court in '**K. Dhandapani v. The State**' 2022(2) R.C.R.(Criminal) 987, the judgment of this Court passed in '**Devendranath v. State of U.T. Chandigarh and Others**' CRM-M-23281-2023 and the judgment passed by the Full Bench of Delhi High Court in '**Court on its Own Motion(Lajja Devi) versus State**' 2012(4) CCR 72.*

Notice of motion for 10.12.2024.

At this stage, on the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab accepts notice on behalf of respondent No.1-State and Ms. Sonia Bohat, Advocate for Mr. Sukesh Kumar Jindal, Advocate accepts notice for respondents No.2 to 4 and files his vakalatnama and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance."

3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

4. In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834** and **Shakuntala Sawhney (Mrs) Vs.**



Kaushalya (Mrs.) and others (1980) 1 SCC 63 and Full Bench of this Court in *Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052*, this petition is allowed and FIR No.158 dated 06.10.2024 under Sections 137(2) and 96 of BNS registered at Police Station Division-B, District Police Commissionerate Amritsar (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

December 10, 2024
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(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |